

ORDINANCE 2004-55

Failed 8/3/04

AN ORDINANCE AMENDING THE POWELL COMPREHENSIVE PLAN DATED DECEMBER 1995 AS IT RELATES TO SOUTH LIBERTY STREET AT THE CSX RAILROAD CROSSING AND REPEALING ORDINANCE 2001-19.

WHEREAS, Powell Village Council adopted Resolution 98-25 requesting the Planning and Zoning Commission to study and recommend to Council an amendment to the 1995 Powell Comprehensive Plan with regard to the Thoroughfare Plan goal.

WHEREAS, on July 14, 1999, the Planning and Zoning Commission made a recommendation to Council to amend the Comprehensive Plan pursuant to the traffic study called *Murphy Parkway/South Liberty Street Study* dated August 3, 1999.

WHEREAS, on November 15, 2000, the Planning and Zoning Commission, having re-studied their previous recommendation, recommended to Council to amend the Comprehensive Plan pursuant to the *Murphy Parkway II Traffic Study* dated September 2000 a series of conditions which were set forth in **ORDINANCE 2001-19: AN ORDINANCE AMENDING THE POWELL COMPREHENSIVE PLAN DATED DECEMBER 1995 AS IT RELATES TO SOUTH LIBERTY STREET AT THE CSX RAILROAD CROSSING**, which is attached hereto and incorporated herein by reference.

WHEREAS, on May 1, 2001, Powell Council adopted Ordinance 2001-19 and incorporated additional conditions as outlined in Section 1 of such Ordinance, some of which have now been determined to be undesirable.

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NOW THEREFORE BE IT ORDAINED BY THE MUNICIPALITY OF POWELL, DELAWARE COUNTY, OHIO AS FOLLOWS:

Section 1: That Council hereby adopts an amendment to the Comprehensive Plan as recommended by the study called *Murphy Parkway/South Liberty Street Study* which is attached hereto and incorporated herein by reference, with the following conditions:

1. That Gray Oaks Boulevard be kept in place with the strong recommendation that the road be taken all the way to Sawmill Parkway.
1. That Murphy Parkway be barricaded just north of Donerail Avenue until such time it connects to the south.
2. That 90 days after the opening of Murphy Parkway to both the north and south, the Municipality will re-examine the traffic flow and speed on Presidential Parkway to determine if further traffic calming measures are necessary.
3. That the placement of crosswalks and traffic control signage be coordinated with the Olentangy Local School District.
4. That Murphy Parkway extension south be connected to South Liberty Street so that South Liberty Street T's into Murphy Parkway as shown in Figure 5 of the September 2000 Traffic Study, which is attached hereto.
5. That the Liberty street at-grade rail crossing will remain open.

Section 2: That Ordinance 2001-19 is hereby repealed.

Section 3: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of the Council and any of the decision making bodies of the Municipality of Powell which resulted in such formal actions were in meetings so open to the public in compliance with all legal requirements of the Municipality of Powell, Delaware County, Ohio.

Section 4: That this Ordinance shall take effect at the earliest period allowed by law.

VOTE ON RULE SUSPENSION: Y 7 N 0

VOTE ON ORDINANCE 2004-45 Y 0 N 7

Dan Wiencek Date
Mayor

Dawn Nauman Date
Clerk

FAILED